

**Village of Lee
Regular Board Meeting
on
May 10, 2021
at the Lee Fire Barn**

Meeting come to order:

Village President Josh Carlson-- present
Trustee Martha May – present
Trustee Jesse Blackwood --present
Trustee Thomas Kapraun--present
Trustee Jean Michels – present
Trustee Mike Schafer—present
Trustee Jessica Moser – present

V. Treasurer Linda Korth – present
V. Clerk Julie Griffith – present
V. Attorney Cassandra Gottschalk – present

Agenda item #8 will be made agenda item 1.2.

1.2. Trustee Jean Michels made a motion for no vacancy. Trustee Jessica Moser seconded the motion. According to Attorney Cassandra Gottschalk, the opposite motion would have to be made, otherwise the “no vacancy” already exists. Since no one was duly elected and qualified, the term of the current village president will continue, according to one school of thought. According to the other school of thought, it could create a vacancy, but the board would have to declare a vacancy, and the position would be open for someone on the board to volunteer. If no one volunteers, the position could be filled by someone in the community.

Trustee Thomas Kapraun moved to declare a vacancy. Trustee Martha May seconded the motion. The motion failed with a roll call vote of three to three. Trustees Moser, Michels and Jesse Blackwood voted no, and Trustees Kapraun, Mike Schafer and May voted yes. Therefore, no vacancy was declared. Attorney Gottschalk spent 2 ½ hours on the phone with the state’s attorney, and her interpretation is that the position of village president continues as is at this point.

Treasurer Linda Korth asked that her resignation be added to the agenda. Trustee Mike Schafer also asked that his resignation be added to the agenda. The items will be added.

Visitors and Communications:

Resident Terri Voitik noted that Steve Carlock donated \$100, and she donated \$50. She would like to know where the money should go and who should get the flowers. Treasurer Korth will call a meeting with Leading Lee Forward tomorrow. The check would be made to the Village of Lee. Leading Lee Forward is a separate line item in the checking account.

Village Engineer Norm Beeh announced that he has been a licensed professional engineer for 52 years, and he is ready to retire. He has enjoyed working with the village, and the water project is in progress. He has sold his company to Chastain & Associates. The nearest office is in Rockford. He thanked the village and wished them well. He believes that Chastain could help the village move the water project forward. Beeh will be working with Chastain for several months to help transitions go smoothly.

Trustee Kapraun asked if the land ownership issue would mess up the water project. According to Village President Josh Carlson, Tommy Weaver noted that the developmental agreement would be signed tomorrow. Curtis Cook of Chastain & Associates was introduced. He does not believe that the easement issue would impact the water project going forward in answer to Trustee Kapraun’s question.

A general engineering services agreement was presented to the board. There would be subsequent agreements for individual projects. The board expressed appreciation for Engineer Beeh's years of service.

Resident Don Post noted that there are a dozen other cars in town besides the yellow truck. He would like the village to enforce the weed ordinance. Additionally, he is in favor of the new slaughter house that would be EPA regulated. He asked if the village is willing to extend the water main, and if Cabo would pay for the extension. Post thinks all the legal fees should be paid for by Cabo.

Resident Jerry Olson would like to see everyone who owns a house or business to do one or two things on their own properties for upkeep. He offered to fill Trustee Schafer's upcoming vacancy on the board of trustees.

Resident Margie Foshe mentioned that since he was a former mayor of many years, she would recommend Jerry Olson to be a trustee. She stated that the voters decided not to keep the incumbent.

Resident Justin Post would like to know what it would take to get water to his shed across the tracks.

Resident Chris Szurgot came about the paving of the alley.

Resident Stacey Schnupp came about the new slaughterhouse. Her concern is that the board members that are against the slaughter house will talk negatively about it later.

Resident Wendy Osakuni came to support Village President Josh Carlson since the person who ran against him hadn't been a resident for a year and could not legally be president.

Water Assistant Mike Woodbury said that Shabbona has a similar issue with flags getting torn up, and that they last about two years maximum. He could order flags from Jim Cox/American legion and get some spinners to see if they will prolong the life of the flags. The intention is to have them up by Memorial Day. The village currently has seven poles.

Trustee Michels made a motion to let Woodbury order flags. Trustee Kapraun seconded the motion. With a roll call vote, the motion carried unanimously.

Village Fire Chief Garrett Galbreath wants residents to note that house numbers should be visible from the street.

Village Attorney Cassandra Gottschalk swore in Trustees Mike Schafer, Jean Michels and Jessica Moser.

Trustee Kapraun made a motion to accept the Chastain & Associates agreement for professional services. Trustee Blackwood seconded the motion. With a roll call vote, the motion carried unanimously.

Old Business:

Treasurer Korth thinks that five years is a long time for Mike Woodbury (and the treasurer) to go without a raise. John Ragan makes \$25/hour, but he mostly works on special projects and plowing snow. Woodbury and Korth currently make \$20/hour. Resident McElligott-Schnupp suggested a raise since both work well in the community. Trustee Moser made a motion to give Woodbury, Korth and Ragan a \$2.50/hour raise effective May 10th. Trustee Kapraun seconded. The motion carried unanimously with a roll call vote.

There was no new information on the on-line bill pay.

The senior garbage pick-up employee was terminated. Treasurer Korth will send the seniors a notice that they will be charged the regular fee of \$37.02/billing period. Everyone who has a water meter must pay for garbage pickup unless they have their own dumpster. Treasurer Korth will ask NIDS if seniors can continue to have a discount.

Attorney Gottschalk noted that using taxpayer dollars to pave an alley for the benefit of 3-4 people is a dangerous precedent. She suggested discussing the cost of upkeep. She says it could be seen as malfeasance. Trustee Kapraun noted that the alley is street-like. There are three people that use the alley by Treasurer Korth's house also. Trustee Kapraun voiced concern about whether or not the alley had a good enough base to pave. Resident Steffa said that Royer listed everything that will be put down in the quote. Resident Chris Szurgot said trucks are getting stuck because of potholes and rocks causing trouble with snow removal.

Trustee Kapraun asked Attorney Gottschalk what it would take to declare the property in question an alley instead of a street. A street is 70 feet wide, but an alley is 30 feet wide, according to Resident Post.

Trustee Martha May made a motion that the alley not be paved at this point in time. Trustee Moser said that using tax payer dollars for three or four residences doesn't make financial sense, and that there are several other alleys that should be considered. The village would have to pay a portion of each alley if they set a precedent. Trustee Schafer noted that his street only has two houses on it, and it is paved.

Resident Steffa asked if they could pave the part of the alley that belongs to the village, or alternatively, could the village sell them the alley. Trustee Moser seconded Trustee May's motion that the village not pay anything to pave the alley. Trustee May amended the motion to say that the residents could pave the alley at their own cost if they would maintain it at their own cost and after an agreement was drawn up and signed. Trustee Moser seconded the amended motion. The motion carried with a unanimous roll call vote. Attorney Gottschalk will draw up the agreement.

There will be letters sent out for infractions. If the infractions are not taken care of there will be fines. If the fines are not paid, liens can be put on properties, or the owners can be sued.

Village President Carlson stated that the developmental agreement will be signed this week. According to Attorney Gottschalk, Cabo wants to have a sellable lot remaining after the property dispute is resolved. He also wants to know if water would be available at the lot line of the new lot. Water Assistant Woodbury said the line is only 1 1/2" deep and not below the frost line. Someone tapped into the water line illegally in the past. The line cannot support a new packing house. The conclusion is that there is not water available at the lot line in the new location.

Attorney Gottschalk asked what the zoning is for the old slaughter house location. After the property is divided, will the remaining property meet the requirements for dimensions for a house lot? Attorney Gottschalk shared the developmental agreement that she made. The Hodge property will have to be rezoned from agricultural to I2. The village wants ownership of the property under the well house. The agreement is not intended to be in its final form.

The village has received one resume for the clerk's position. Leading Lee Forward and Lee Happenings both have the requirements for the clerk's position. The resume received did not match the listed qualifications. The position will be put in the water bill.

Treasurer Korth attached the agreement for the septic field on the village property. She requested a new agreement with the current owner of the old school. Attorney Gottschalk said that if the agreement was signed by the former owner, then a new signature isn't necessary. She doesn't believe the agreement was

ever signed by the former owner. Attorney Gottschalk will draft a new agreement and contact the new owner.

Review and Approval of the Minutes, Treasurer's Report and Bill List:

Trustee Blackwood made a motion to accept the April 12, 2021, minutes. Trustee Schafer seconded the motion, and it carried. Trustee Michels made a motion to accept the May 10, 2021, treasurer's report. Trustee Moser seconded the motion, and it carried. Trustee Schafer made a motion to pay the bills. Trustee Kapraun seconded the motion, and it carried unanimously.

New Business:

There are chickens and roosters at 151 Skole Gate. There was discussion about whether or not the house is in the village.

Seventy yards of mulch for the playground @\$18.50/yard would be \$1659. Trustee Michels made a motion to buy the mulch. Trustee Kapraun seconded the motion, and it carried unanimously with a roll call vote.

John Ragan at 320 E. Kirke Gate would like to have the village bore under the street and hook his house to the newer water main. If this were done, then the village could abandon an old line. Village President Carlson will get a quote.

Village Open Meetings Act designee Julie Griffith let the board know that any newly elected official has 90 days to complete the Open Meetings Act training. She already has Certificates of Completion from Jean Michels and Jessica Moser.

Village Treasurer Linda Korth resigned for the following reasons: The mayor doesn't return phone calls. She doesn't like how people are treated, and she doesn't like the conflict of interest. She has been in this job for over 30 years. She stated that whether or not you agree with someone, people need to be treated with respect. The board needs to be a team. She wants them to be treated better by the leadership.

Village President Carlson apologized for not returning phone calls. Village Treasurer Korth said that she won't be here much longer. She doesn't feel appreciated by the mayor who is her boss. Her resignation will be effective in August or September, as she is moving to Colorado.

Trustee Schafer sympathized with Treasurer Korth. He has operated a business in town for 15 years. It is hard for him to keep up with the growing business as he only has one staff member. He has been trustee for 22 years. He is approaching 73 years of age. He thought he could help by taking on the president's position, but he now has a hospice person in his house. His resignation is effective today.

The vacant trustee position will be put on next month's agenda.

Reports:

- Streets and Alleys/Public Safety
Trustee Kapraun has 72 items that could be fixed from his annual report. The baseball field will be used again by the Indian Creek Rec for t-ball practice. Nissen Stigen looks beat up.
- Water and refuse
There was discussion on senior garbage that wasn't picked up.
- Finance and ordinance
The audit will be coming up.
Trustee Moser asked if the village is doing anything for the 4th of July.

There will potentially be a parade, cookout, etc. Lee Fire Protection District Chief Galbreath offered to supply the fire barn and trucks for the parade. Trustee Moser will make a flyer before the water bill goes out the end of the month.

Adjournment:

Trustee Blackwood made a motion to adjourn the meeting at 9:20 PM. Trustee Moser seconded the motion, and it adjourned.